



**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

MDL No. 1456
Master File No.: 01-CV-12257-PBS
Subcategory Case No. 07-12141-PBS

THIS DOCUMENT RELATES TO:
State of Iowa v. Abbott Laboratories, et al.

Judge Patti B. Saris

**AMENDED CROSS NOTICE OF TAKING
CONTINUED VIDEOTAPED DEPOSITION OF LYNN DONOVAN**

PLEASE TAKE NOTICE that, pursuant to the Federal Rules of Civil Procedure, Purepac Pharmaceutical Co. on behalf of all Defendants in this case hereby cross-notices the continued videotaped deposition of Lynn Donovan for purposes of the above-captioned action.

This deposition will commence on Tuesday, June 24, 2009 at 9:00 AM, continuing on successive days as necessary, at the office of Goodsill Anderson Quinn & Stifel, LLP, Suite 1800, Alii Place, 1099 Alakea Street, Honolulu, Hawai'i. This deposition will take place before a notary public, or any other officer authorized to administer oaths, and will be recorded by stenographic, sound, and visual means. Arrangements will be made so that counsel may participate by phone if they wish. The deposition is being taking for the purposes of discovery, for use at trial, and for such other purposes as permitted under the Federal Rules of Civil Procedure.

This deposition was originally noticed on May 28, 2009, by defendant Sandoz, Inc. for purposes of *State of Hawai'i v. Abbott Laboratories, Inc. et al.*, Civil Action No. 06-1-0720-04-EEH and *State of Hawai'i v. Schering Corporation, et al.*, Civil Action

No. 07-1-1639-09-EEH. The notice was amended at the request of counsel for the State of Hawaii. A copy of the First Amended Notice of Deposition is attached hereto as Exhibit A.

Respectfully submitted,

Dated June 16, 2009	<u>/s/ John R. Fleder</u> John R. Fleder HYMAN, PHELPS, & MCNAMARA, P.C. 700 Thirteenth Street NW Suite 1200 Washington DC 20005 (202)-737-5600 Counsel for Defendant Purepac Pharmaceutical Co.
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CERTIFICATE OF SERVICE

I, John Fleder, hereby certify that I caused a true and correct copy of the foregoing to be served upon all counsel of record via electronic service, pursuant to Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting to all parties.

Dated: June 16, 2009

/s/ J.R. Fleder
John R. Fleder